



Docket No. 1747-1

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CERTIFICATE OF MAILING (37 CFR 1.8 (a))

I hereby certify that the attached papers or fee are being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Date: December 31, 2002

Printed Name: Marie M. Greloch

Signature: Marie M. Greloch

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application of: Hakan Nyqvist et al.

Serial Number: 09/077,718

Group Art Unit: 1626

Filed: June 8, 1998

Examiner: T. Solola

For: A New Salt

PETITION TO WITHDRAWAL ABANDONMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Office Communication mailed on December 12, 2002, Applicant requests that the holding of abandonment be withdrawn under 35 CFR Section 1.181(a). **See Also** MPEP Section 711.03(c) Petitions Relating to Abandonment, I Petition to Withdraw Holding of Abandonment.

This information is being submitted promptly after applicant has learned of the abandonment on the basis of the holding of abandonment mailed to applicant's attorney on December 12, 2002.

Submitted herewith is a copy of the Continued Prosecution Application (CPA) mailed on November 26, 2002.

Statement

The Examiner refers to the papers filed by the applicant on November 26, 2002 as a Request for Continued Examination (RCE). However, applicant did not file an RCE, applicant filed a CPA. Although the Examiner did not specifically state that the CPA will

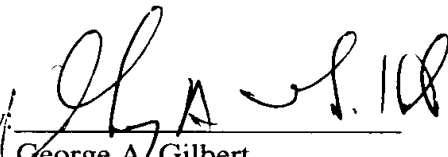
be treated as an RCE, applicant assumes that the Examiner treated the CPA as an improper RCE and abandoned the application as advised in the MPEP under Section 706.07(h)IV, Paragraph 7.42.15.

Applicants respectfully submits that the papers filed by applicant on November 26, 2002 contained a proper CPA and it was clearly identified as such. Rule 1.53(d) allows an applicant to file a CPA provided that the prior nonprovisional application is a utility application that was filed Under 35 USC 111(a) before May 29, 2000 and is complete as defined by Section 1.51(b) and the application is filed before: payment of the Issue fee; abandonment of the prior application; or termination of the proceedings of the prior application. Applicants submit that the prior application was a utility application filed under 35 USC 111(a) on June 8, 1998 and that the CPA was filed before: the payment of the issue fee; abandonment of the prior application; or termination of the proceedings of the prior application.

In light of the above submission and statement, applicant respectfully requests withdrawal of abandonment. Acknowledgement of the active status of this application is respectfully requested

Respectfully submitted,

Dated: December 31, 2002

By: 
George A. Gilbert
Registration No.: 35,881